

Marital Settlement Agreement

Most divorcing parties enter into an “agreed” divorce and the terms of their agreement is contained in a marital settlement agreement ([Form FA-4150](#) for divorces involving minor children; and [Form FA-4151](#) for divorces without minor children). The marital settlement agreement must be attached to the Judgment. If you do not have a marital settlement agreement, then you must attach to your Judgment a divorce judgment addendum that incorporates all of the information ordinarily contained in the marital settlement agreement.

If interests in real estate are being transferred, then a copy of the quit-claim deed should be attached to the marital settlement agreement. You may require the services of an attorney to prepare a quit-claim deed and Wisconsin Transfer Tax Return.

Both the marital settlement agreement and divorce judgment are legal documents and may be relied upon into the future; thus it is recommended that both documents be in a typed format.

The following matters must be covered in the marital settlement agreement:

- ☐ Maintenance
- ☐ Debts and Liabilities Division
- ☐ Personal Property Division
- ☐ Equalization of Property and Debt Division
- ☐ Division of Real Estate Interests
- ☐ Assignment of Life Insurance Interests

If minor children are involved:

- ☐ Legal Custody of Children
- ☐ Physical Placement with Children
- ☐ Child Support
- ☐ Medical and Health Care Expenses for Children
- ☐ Health Insurance for Children
- ☐ Division of Tax Exemptions for Children
- ☐ Approval by Child Support Agency